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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Tsujimoto et al.
Appl. No.: 09/284,222
Filed: July 22, 1999
Title: NONAQUEOUS-ELECTROLYTE SECONDARY BATTERY
Art Unit: 1745
Examiner: T. Dove
Docket No.: 113184-003

Assistant Commissioner for Patents
Washington, DC 20231

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RESPONSE TO OFFICE ACTION

Sir:

Please enter the following response in the above-identified patent application.

REMARKS

In the Office Action, Claims 7-9 and 12-16 have been rejected under 35 U.S.C. § 103. Applicants respectfully request reconsideration of the obviousness rejections with respect to Claims 7-9 and 12-16 in view of the reasons set forth below.

In the Office Action, Claims 7-9 and 16 are rejected under 35 U.S.C. § 103 as being unpatentable over Japanese Patent Document No. 9-213337 ("*Koichiro*"). The Patent Office essentially asserts that *Koichiro* discloses and/or suggests each and every feature of the claimed invention as required by Claims 7-9 and 16.

Applicants respectfully submit that this rejection is improper. Of the pending claims, Claim 7 is the sole independent claim. Claim 7 recites a non-aqueous electrolyte secondary battery that includes, in part, a negative electrode comprising a binder and an active material wherein the binder comprises from about 2 weight percent to about 15 weight percent of the total weight of the negative electrode. Claims 8, 9 and 16 each depend from independent Claim 7 and therefore as a matter of law incorporate each of the features of independent Claim 7.